

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: ZUK, Michael Yar  
Serial No.: 09/758,133  
Filed: January 12, 2001  
Title: BRUXISM APPLIANCE AND METHOD OF FORMING  
Group: 3764  
Examiner:  
Attorney Ref.: PAT 354-2 US

October 6, 2006

**Mail Stop 16**

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia  
22314-1450  
U.S.A.

Dear Sir:

**Request for Status of Refund**

Further to our request of November 30, 2005 and the USPTO communication of December 16, 2005, kindly advise as to the status of our refund. Thank you.

Respectfully submitted,  
Michael Yar ZUK

/Anne Kinsman/ 

By: \_\_\_\_\_

Anne Kinsman  
Reg. No. 45,291  
Borden Ladner Gervais LLP  
100 Queen Street, Suite 1100  
Ottawa, ON  
Canada K1P 1J9  
Tel: (613) 237-5160  
Fax: (613) 787-3558  
E-mail: ipinfo@blgcanada.com

ALK/AAB/aab

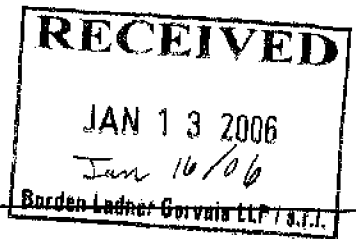
Encls.

1. November 30, 2005 request for refund
2. USPTO communication dated December 16, 2005



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE



December 16, 2005

BORDEN LADNER GERVAIS  
100 QUEEN STREET  
SUITE 1100  
OTTAWA, ON K1P 1J9  
CA

*PAT 354-2 - US Panga / ALIK*

Dear Sir/Madam,

This is to acknowledge receipt of your refund request for 09758133 in the amount of \$100.00.

Your request has been forwarded to the Technical Center Others for review and processing.

To inquire about the status of your refund request, please call 703 308-9010 x177.

Thank you,

Technical Center Others

*WMB*

\*\*\*\*\*  
 \*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO 2986  
 RECIPIENT ADDRESS #242915712736500  
 DESTINATION ID  
 ST. TIME 11/30 13:26  
 TIME USE 00:57  
 PAGES SENT 3  
 RESULT OK

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number 09/758,133

Filing Date January 12, 2001

First Named Inventor Michael Yar ZUK

Art Unit 3764

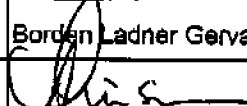
Examiner Name

Attorney Docket Number PAT 354-2

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Copy of Notice Regarding Change of Power of Attorney dated October 27, 2004
Remarks Attention: MAILSTOP 16 Fax No.: 571-273-6500		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Borden Ladner Gervais LLP		
Signature			
Printed name	Anne Kinsman		
Date	November 30, 2005	Reg. No.	45,291

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## TRANSMITTAL FORM

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Filing Date	January 12, 2001
First Named Inventor	Michael Yar ZUK
Art Unit	3764
Examiner Name	
Attorney Docket Number	PAT 354-2

### ENCLOSURES (Check all that apply)

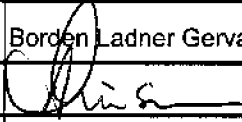
- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input checked="" type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>- Copy of Notice Regarding Change<br>of Power of Attorney dated October<br>27, 2004 |
|--|---|---|

#### Remarks

Attention: MAILSTOP 16

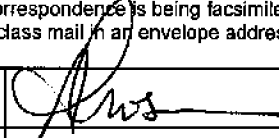
Fax No.: 571-273-6500

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Borden Ladner Gervais LLP		
Signature			
Printed name	Anne Kinsman		
Date	November 30, 2005	Reg. No.	45,291

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Anne Kinsman	Date	November 30, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Examiner:  
Attorney Ref.: PAT 354-2 US

November 29, 2005

Commissioner for Patents  
United States Patent and Trademark Office  
Customer Service Window  
**Mail Stop 16**  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia  
22314  
U.S.A.

Dear Sir:

**REQUEST FOR REFUND UNDER 37 CFR 1.26**

Applicant hereby requests a refund of \$100.00 as this amount was mistakenly deducted from our deposit account on October 18, 2005.

Please find attached a Notice Regarding Change of Power of Attorney issued by the Office on October 27, 2004 withdrawing the agents of Borden Ladner Gervais LLP from the above-noted patent application.

**The Commissioner is respectfully requested to credit Deposit Account No. 501593 in the amount of \$100.00.** Applicant authorizes the Commissioner to make such credits and debits in respect of the Deposit Account such that the proper fees with the proper codes are debited to the account and that excess funds previously charged are credited to the account. Applicant also encloses a transmittal form to accompany this Request for Refund.

Respectfully submitted,

**Michael Yar ZUK**

By: 

**Anne Kinsman**  
Reg. No. 45,291  
Borden Ladner Gervais LLP  
100 Queen Street, Suite 1100  
Ottawa, ON  
Canada K1P 1J9  
Tel: (613) 237-5160  
Fax: (613) 787-3558  
E-mail: ipinfo@blgcanada.com

Encl.

1. Notice Regarding Change of Power of Attorney  
ALK/JLD/jld